



## NOTICE OF PUBLIC HEARING

*Date mailed: May 29, 2018*

You are receiving this notice for a public hearing regarding an appeal of a land use application. The appeal requires review by the Milwaukie City Council at a public hearing. It also requires notice to all property owners and residents within 300 feet of the proposal, the property owner(s) and applicant, and the affected neighborhood district association(s). The proposal and information on how to respond to this notice are described below.

**The Milwaukie City Council will hold a public hearing on the proposal at a meeting beginning at 6:00 p.m. on Tuesday, June 19, 2018, at Milwaukie City Hall, 10722 SE Main Street.**

<b>File Number(s):</b>	AP-2018-002
<b>Location:</b>	2905 SE Lake Rd (MHS fields) and 11250 SE 27 <sup>th</sup> Ave (Milwaukie Elementary School) Tax Lot ID 1S1E36CA 01200 and 1S1E36BD 05500 <i>A map of the site is located on the last page of this notice.</i>
<b>Proposal:</b>	<p>This hearing is an appeal of Milwaukie Land Use File #CSU-2018-001; VR-2018-003; P-2018-001 – approval for modifications to the Lake Road Sports Complex. The project involves the following: renovate and upgrade the existing field complex—install all-weather turf on existing fields; install field lights; reorient varsity baseball field; construct new grandstands w/ pressboxes, new concessions/restrooms, new dugouts &amp; backstops, and new scoreboards; improve existing parking facilities, including 16 new parking spaces, new turnaround area, landscaping, and restriping. In addition, improve the JV softball field on the adjacent Milwaukie Elementary School site, with a reconditioned natural turf field, new dugouts &amp; bleachers, new backstop, improved &amp; realigned lighted pedestrian path.</p> <p>Proposal includes a variance request for light poles that exceed the 50-ft maximum allowed height and a parking determination to establish the minimum number of required spaces for the field use.</p>
<b>Reason for Appeal by Appellant:</b>	The appellant seeks review of the Planning Commission approval of the project based on the following: insufficient parking, does not provide adequate pedestrian access, and has multiple impacts on the surrounding neighborhood.

<b>Appellant Contact:</b>	Michael Martin and Benjamin Brody 2725 SE Lake Rd., Milwaukie, OR 97222  Bill Kabeisman – <i>appellant’s representative</i> Bateman Seidel 888 SE 5 <sup>th</sup> Ave, Portland, OR 97204 503-972-9968 / <a href="mailto:billkab@batemanseidel.com">billkab@batemanseidel.com</a>
<b>Applicant/Primary Contact Person:</b>	Andrew Tull (3J Consulting) – <i>applicant’s representative</i> 5075 SW Griffith Dr, Suite 150 (Beaverton, OR 97005) Phone: (503) 545-1907 E-mail: <a href="mailto:andrew.tull@3j-consulting.com">andrew.tull@3j-consulting.com</a>
<b>Owner(s):</b>	North Clackamas School District 12451 SE Fuller Rd Milwaukie, OR 97222
<b>Staff contact:</b>	Vera Kalias, Associate Planner City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd Milwaukie, OR 97206 503-786-7653 <a href="mailto:kaliasv@milwaukieoregon.gov">kaliasv@milwaukieoregon.gov</a>
<b>Neighborhood District Association(s):</b>	Lake Road NDA, contact Vince Alvarez at 503-358-1574 Historic Milwaukie NDA, contact Ray Bryan at 503-593-3336
<b>Applicable Criteria:</b>	<ul style="list-style-type: none"> <li>• Milwaukie Municipal Code (MMC) Section 19.1006 Type III Review</li> <li>• MMC Section 19.904 Community Service Uses</li> <li>• MMC Section 19.301 Low Density Res. Zones (incl. R-7)</li> <li>• MMC Chapter 19.500 Supplementary Development Regulations</li> <li>• MMC Chapter 19.600 Off-Street Parking and Loading</li> <li>• MMC Chapter 19.700 Public Facility Improvements</li> <li>• MMC Section 19.911 Variances</li> </ul> <p>Copies of these criteria are available upon request and can also be found at <a href="http://www.qcode.us/codes/milwaukie/">www.qcode.us/codes/milwaukie/</a>.</p>

**To learn more about a proposal:** Call the staff contact assigned to the proposal or visit the project webpage at <https://www.milwaukieoregon.gov/planning/ap-2018-002>. The staff report on the proposal will also be available for public viewing after 8 a.m. on **Wednesday, June 13, 2018**, at the following locations:

- Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd (open weekdays 8:00 a.m. to 5:00 p.m.)
- Ledding Library, 10660 SE 21st St (call 503-786-7580 for current hours)
- City Hall, 10722 SE Main St (open weekdays 8:00 a.m. to 5:00 p.m.)
- City website, <http://www.milwaukieoregon.gov/meetings>

Copies of information in the file can be obtained for a reasonable fee. Copies of applicable City ordinances and the Comprehensive Plan are also available for review at the locations listed above.

**NOTE:** The City Council appeal hearing will be an on-the-record de novo hearing. New evidence is not allowed. New testimony and arguments are allowed. The City Council will evaluate the existing evidence and testimony that were presented to the Planning Commission. Council will also hear new testimony and arguments. Everyone is eligible to participate in the appeal hearing.

**To comment on a proposal:** You are invited to attend this hearing or submit comments in writing before the meeting time. You may send written comments in advance to the staff contact listed above, or you may submit your comments in person at the hearing. If you want to present verbal testimony, either pro, con, or to raise questions, you will be invited to speak following the applicant’s testimony. Testimony and comments at this hearing must be directed towards the criteria identified. If you submit a written comment or comment in person at the hearing, you will be sent a copy of the decision or recommendation. All written and verbal comments become part of the permanent record.

**To appeal a decision:** The City Council's decision may be further appealed by a person with standing. In order to establish standing, you must do at least one of the following: submit written comments to the staff contact before the hearing date; attend the hearing and sign in; or attend the hearing, sign in, and make a verbal comment. Any issue that is intended to provide a basis for appeal must be raised in writing on or before the hearing date with sufficient specificity to afford the responsible parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity, and accompanied by statements or evidence sufficient to afford the responsible parties an opportunity to respond to the issue, will preclude any appeal on that issue to the Land Use Board of Appeals (LUBA).

*The City of Milwaukie is committed to providing equal access to information and public meetings per the Americans with Disabilities Act (ADA). If you need special accommodations, please call 503-786-7600 at least 48 hours prior to the meeting.*

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER:**  
THE MILWAUKIE MUNICIPAL CODE REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT  
SHALL BE PROMPTLY FORWARDED TO THE PURCHASER.